

STATE HUMAN RIGHTS COMMITTEE

Julie C. Allen, Chairperson  
Springfield  
Wil Childers, Vice-Chairperson  
Hardy  
David Boehm  
Marion  
Monica Lucas  
Richmond  
Timothy Russell  
Williamsburg  
Megan Sharkey  
Richmond  
Cora Swett  
Nokerville



**COMMONWEALTH of VIRGINIA**  
*Department of Behavioral Health and Developmental Services*  
Post Office Box 1797  
Richmond, Virginia 23218-1797  
ALISON G. LAND, FACHE, COMMISSIONER

Taneika Goldman  
State Human Rights Director  
Taneika.Goldman@dbhds.virginia.gov  
Office of Human Rights  
1220 Bank Street  
Richmond, VA 23219  
P.O. Box 1797  
Richmond, VA 23218  
www.dbhds.virginia.gov

**State Human Rights Committee Meeting**

***Virtual Meeting***

January 20, 2022

DBHDS

P.O. Box 1797

Richmond, VA

23218

*This is a virtual meeting. Those wishing to attend can join via Zoom.*

Join ZoomGov Meeting

<https://dbhds.zoomgov.com/j/1617839100>

Meeting ID: 161 783 9100

Passcode: \$HRCMet1ng

One tap mobile

+16692545252,,1617839100#,,,,\*7528025777# US (San Jose)

+16468287666,,1617839100#,,,,\*7528025777# US (New York)

Dial by your location

+1 669 254 5252 US (San Jose)

+1 646 828 7666 US (New York)

+1 551 285 1373 US

+1 669 216 1590 US (San Jose)

Meeting ID: 161 783 9100

Passcode: 7528025777

Find your local number: <https://dbhds.zoomgov.com/u/acBQVC4BPn>

Join by SIP

[1617839100@sip.zoomgov.com](mailto:1617839100@sip.zoomgov.com)

Join by H.323

161.199.138.10 (US West)

161.199.136.10 (US East)

Meeting ID: 161 783 9100

Passcode: 7528025777

***AGENDA***  
**Administrative Session**  
**9:00 a.m.**

**9:00 Call to Order**

Julie C. Allen, SHRC Chair

**Welcome from Chairperson Allen**  
Introductions

**Approval of Agenda**

**Information**

Taneika Goldman, State Human Rights Director

Commissioner's Response to SHRC Findings Dated 9/17/2021 re: EJH v. WSH  
Variance Review Process  
2022 LHRC Meeting Schedule  
Confidentiality and Conflict of Interest Agreement

**Regular Session**  
**9:15 a.m.**

**9:15 Call to Order**

Julie Allen, SHRC Chair

**Review of Draft Minutes** December 9, 2021

**Welcome and Presentation from CSH**  
Overview of Construction  
Reduction in Seclusion/Restraint

Brandi Justice, Psy.D.  
Facility Director, Central State Hospital

**9:45 Public Comment Period**

Julie Allen

**Facility Reports**

Seclusion, Restraint & Death Data  
Violation Letter Statistics  
VCBR

Mary Clair O'Hara, Associate Director, Facility Operations  
Brandon Rotenberry, Facility Advocate Manager  
Tony Davis, Human Rights Advocate

**10:00 WSH Variance**

Brandon Rotenberry

12 VAC 35-115-105.H - Seclusion in a Behavioral Treatment Plan

Facility Human Rights Manager

12 VAC 35-115-110.C.3 – Inpatient hospitals Emergency Seclusion

**10:30 CCCA Variance**

Brandon Rotenberry

12 VAC 35-115-105.H - Seclusion in a Behavioral Treatment Plan

**11:00 Youth for Tomorrow Variance**

Jennifer Anglin

12 VAC 35-115-50 (C)(7)Dignity - Use of Telephone

Human Rights Advocate

12 VAC 35-115-50 (C)(8)Dignity - Visitation

**11:45 Presentation**

Update on Overhaul of the TOVA Manual

Mary Clair O'Hara, Associate Director  
Facility Operations  
Betsy Thompson, Training Specialist

**12:15 Update: SHRD Meeting with LHRC Chairs**

Taneika Goldman

**12:45 LHRC Business**

Julie Allen

LHRC Liaison Reporting

Resignation

Jennifer Kovack, Associate Director  
Community Operations

Appointments

Region 1

Northwestern Area LHRC

Region 2

Prince William County LHRC

Region 3

Roanoke-Catawba LHRC

Region 5

Southeast Alliance LHRC

**1:00 Subcommittees**

Policy Subcommittee

David Boehm

David Boehm; Mary Clair O'Hara, Staff

Workplan / Membership Subcommittee

Timothy Russell

Timothy Russell; Megan Sharkey

- Onboarding New Members
- Workplan Discussion: 2022 Presenters
- Application Questions

Bylaws Subcommittee

Monica Lucas

Monica Lucas, Chair; Cora Swett; Jennifer Kovack, Staff

- LHRC Bylaws Template
- HR Access

Officer Subcommittee

Will Childers

Will Childers

**Other**

Julie Allen/Taneika Goldman

**Adjournment**

Julie Allen

**Next Meeting**

March 3, 2022

Call to Order

Welcome from Chairperson Julie C. Allen

Approval of Agenda

Information



Administrative Session



## Variance Review Process



Variance Process



## 2022 LHRC Schedule

For general information about how to access a Local Human Rights Committee (LHRC) in your Region/State Facility, please contact the corresponding [Manager](#). For questions about a specific LHRC or to add items to a specific LHRC agenda, please contact the OHR Staff person listed for that specific LHRC.

Any person seeking to make public comment to the LHRC may submit comments in writing to the assigned Advocate via email by 5pm on the day before the meeting. Comments may also be made during the public comment section noted on the meeting agenda. Any public comment received will be added to the minutes of the meeting. Members of the public may view and listen to open portions of the meeting via the Zoom link, available below and on the [Commonwealth Calendar](#).

**Please note that the agenda deadline is two weeks prior to the meeting date.**

### **Region 1**

#### **Charlottesville Area LHRC – Lequetta Hayes, DBHDS/OHR Advocate**

[lequetta.hayes@dbhds.virginia.gov](mailto:lequetta.hayes@dbhds.virginia.gov)

Meet Quarterly at 10:30 AM - (Committee In-Person, Virtual participation link below for providers/individuals/public) – 1/20, 4/21, 7/21, & 10/20

Location: TBA prior to each meeting

Zoom Link: <https://dbhds.zoomgov.com/s/1601264863>

Meeting ID: 160 126 4863

Passcode: LHRCmeet1!

Phone: +1 669 254 5252 or +1 669 216 1590 or +1 551 285 1373 or +1 646 828 7666

Phone Passcode: 5757105034

#### **Northwestern Area LHRC – Heather Hilleary, DBHDS/OHR Advocate**

[heather.hilleary@dbhds.virginia.gov](mailto:heather.hilleary@dbhds.virginia.gov)

Meets Quarterly at 10:00 AM – (Committee In-Person, Virtual participation link below for providers/individuals/public) – 2/9, 5/11, 8/10, & 11/9

Location: Northwestern CSB, 209 W. Criser Road, Front Royal, VA 22630

Zoom Link: <https://dbhds.zoomgov.com/s/1600165982>

Meeting ID: 160 016 5982

Passcode: LHRCmeet1!

Phone: +1 669 254 5252 or +1 646 828 7666 or +1 551 285 1373 or +1 669 216 1590

Phone Passcode: 6540171438

#### **Rappahannock-Rapidan LHRC – Artea Ambrose, DBHDS/OHR Advocate**

[artea.ambrose@dbhds.virginia.gov](mailto:artea.ambrose@dbhds.virginia.gov)

Meet Quarterly at 10:30 AM - (Committee In-Person, Virtual participation link below for providers/individuals/public) 3/1, 6/7, 9/6, & 12/6

Location: 15361 Bradford Road, Culpeper, VA 22701

Zoom Link: <https://dbhds.zoomgov.com/s/1608348932>

Meeting ID: 160 834 8932

Passcode: LHRCmeet1!

Phone: +1 669 254 5252 or +1 646 828 7666 or +1 551 285 1373 or +1 669 216 1590

Phone Passcode: 2616217989

## **Region 2**

### **Northern Virginia Hospital LHRC – Ann Pascoe, OHR Regional Manager**

[ann.pascoe@dbhds.virginia.gov](mailto:ann.pascoe@dbhds.virginia.gov)

Meet Monthly at 6:30 p.m. - (Committee In-Person, Virtual participation link below for providers/individual/public) 1/26, 2/23, 3/23, 4/27, 5/25, 6/22, 7/27, 8/24, 9/28, 10/26, 12/14

Location: 3302 Gallows Rd Falls Church, VA 22042

Zoom Link: <https://dbhds.zoomgov.com/j/1606553518>

Meeting ID: 160 655 3518

Passcode: NVH2022-r2

Phone: 1 646 828 7666

Phone Passcode: 5148947685

### **Northern Virginia Regional LHRC – Ann Pascoe, OHR Regional Manager**

[ann.pascoe@dbhds.virginia.gov](mailto:ann.pascoe@dbhds.virginia.gov)

Meet Monthly at 8:30 a.m. - (Committee In-Person, Virtual participation link below for providers/individual/public) 1/18, 2/15, 3/15, 4/19, 5/17, 6/21, 8/16, 9/20, 11/15

Location: 8221 Willow Oaks Corp Drive Fairfax, VA 22031

Zoom Link: <https://dbhds.zoomgov.com/j/1603962310>

Meeting ID: 160 396 2310

Passcode: NVR2022-r2

Phone: 1 646 828 7666

Phone Passcode: 2589601762

### **Prince William County LHRC – Ann Pascoe, OHR Regional Manager**

[ann.pascoe@dbhds.virginia.gov](mailto:ann.pascoe@dbhds.virginia.gov)

Meet Bi-Monthly at 4:30 p.m. - (Committee In-Person, Virtual participation link below for providers/individual/public) 2/2, 4/6, 6/1, 8/3, 10/5, 12/7

Location: 8500 Phoenix Drive Manassas, VA 20110

Zoom Link: <https://dbhds.zoomgov.com/j/1613694238>

Meeting ID: 161 369 4238

Passcode: PWC2022-r2

Phone: 1 646 828 7666

Phone Passcode: 8561907652

## **Region 3**

### **Roanoke Catawba LHRC – Hollie Carlisle, DBHDS/OHR Advocate**

[hollie.carlisle@dbhds.virginia.gov](mailto:hollie.carlisle@dbhds.virginia.gov)

Meet Quarterly at 1pm – (Committee In-Person, Virtual participation link below for providers/individual/public) – 3/16, 7/15, 9/14, 12/7

Location: 5525 Catawba Hospital Dr., Catawba, VA 24070

Zoom Link: <https://dbhds.zoomgov.com/j/16027377537>

Meeting ID: 160 2737 7537

Passcode: ZoomPr1!

Phone: 1 669 254 5252 or 1 646 828 7666 or 1 669 216 1590 or 1 551 285 1373

Phone Passcode: 06541879

**Virginia Highlands LHRC – Heather Oakes-DBHDS/OHR Advocate**

[heather.oakes@dbhds.virginia.gov](mailto:heather.oakes@dbhds.virginia.gov)

Meet Quarterly at 12pm-(Committee In-Person, Virtual participation link below for providers/individual/public) 2/15, 5/10, 8/9, 10/11

Location: 340 Bagley Circle, Marion, VA 24354

Zoom Link: <https://dbhds.zoomgov.com/j/16155466054>

Meeting ID: 161 5546 6054

Passcode: LHRCat12!

Phone: 1 669 254 5252 or 1 646 828 7666 or 1 551 285 1373 or 1 669 216 1590

Phone Passcode: 529014568

**Region 4**

**Central Region LHRC – Cheryl Young, DBHDS/OHR Advocate**

[cheryl.young@dbhds.virginia.gov](mailto:cheryl.young@dbhds.virginia.gov)

Meets Quarterly at 9:30 a.m. – (Committee In-Person, Virtual participation link below for providers/individual/public) - 2/16, 5/18, 8/17 & 11/16

Location: Good Neighbor Homes, 1407 Summit Ave, Richmond, VA 23230

Zoom Link: <https://dbhds.zoomgov.com/j/1603480091>

Meeting ID: 160 348 0091

Passcode: LHRCmtg12

Phone: +1 646 828 7666 or 1 551 285 1373

Phone Passcode: 428139671

**Metropolitan LHRC – Andrea Milhouse, DBHDS/OHR Advocate**

[andrea.Milhouse@dbhds.virginia.gov](mailto:andrea.Milhouse@dbhds.virginia.gov)

Meets Quarterly at 9:30 a.m. – (Committee In-Person, Virtual participation link below for providers/individual/public) – 3/24, 6/23, 9/22 & 12/22

Location: Diversity Training & Support Center, 8424 Hull Street Road, Chesterfield, VA 23235 (6<sup>th</sup> Floor small Conference room)

Zoom Link: <https://virginia-gov.zoomgov.com/j/16086870768>

Meeting ID: 160 8687 0768

Passcode: LHRCmeet1!

Phone: +1 646 828 7666 or 1 551 285 1373

Phone Passcode: 5297667555

**Region 5**

**Southeast Alliance LHRC – Reginald Daye OHR Regional Manager**

[reginald.daye@dbhds.virginia.gov](mailto:reginald.daye@dbhds.virginia.gov)

Meets Quarterly at 3:00 p.m. – (Committee In-Person, Virtual participation Link below for providers/individual/public) - 2/15, 5/17, 8/16, 11/15

Location: Hampton-Newport News CSB, 300 Medical Drive, Hampton, VA 23666

Zoom Link: <https://virginia-gov.zoomgov.com/j/1617503422>

Meeting ID: 161 750 3422

Passcode: SEALHRC@3

Phone: 1 (669) 254 5252 or 1 (646) 828 7666 US or 1 (551) 285 1373 or 1 (669) 216 1590 US

Phone Passcode: 828543663



**Southeastern Regional LHRC– Reginald Daye OHR Regional Manager**

[reginald.daye@dbhds.virginia.gov](mailto:reginald.daye@dbhds.virginia.gov)

Location: Virginia Beach Department of Human Services  
297 Independence Boulevard, Building P6, 4<sup>th</sup> Floor Conference Room, Virginia Beach, VA 23462

Meets Quarterly at 9:00 a.m. – (Committee In-Person, Virtual participation Link below for providers/individual/public) 3/16, 6/15, 9/21, 12/07

Zoom Link: <https://virginia-gov.zoomgov.com/j/1603210923>

Meeting ID: 160 321 0923

Passcode: SRLHRC@9

Phone: 1 (669) 254 5252 or 1 (646) 828 7666 or 1 (669) 216 1590 or 1 (551) 285 1373

Phone Passcode: 21643424

**HPR5 LHRC– Reginald Daye OHR Regional Manager**

[reginald.daye@dbhds.virginia.gov](mailto:reginald.daye@dbhds.virginia.gov)

Location: Norfolk CSB, 7447 Central Business Park Drive, Norfolk VA 23513

Meets Quarterly at 1:00 p.m. – (Committee In-Person, Virtual participation link below for providers/individual/public) 1/24/22, 4/18/22, 7/18/22 and 10/17/22

Zoom Link: <https://dbhds.zoomgov.com/j/16024061036>

Meeting ID: 160 2406 1036

Passcode: HPR5Lhrc!

Phone: 1 669 254 5252 or 1 646 828 7666 or 1 551 285 1373 or 1 669 216 1590

Phone Passcode: 374364318

**Please see the following page for the State Facility LHRC information.**

**State Facilities**

**Staunton Area LHRC – Riley Curran, DBHDS/OHR Advocate**

[riley.curran@dbhds.virginia.gov](mailto:riley.curran@dbhds.virginia.gov) – Facility Business

Meet Quarterly at 10:30 am – (Committee In-Person, Virtual participation link below for providers/individuals/public) – 1/5, 4/6, 7/6, & 10/5

Location: Western State Hospital 103 Valley Center Drive, Staunton, VA 24401

Zoom Link: <https://dbhds.zoomgov.com/j/1604896709>

Passcode: LHRCmeet1!

Phone: (669) 254-5252 or (646) 828-7666 or (551) 285-1373 or (669) 216-1590

Phone Passcode: 2408987887

**Central State Hospital LHRC – Tony Davis, DBHDS/OHR Advocate**

[tony.davis@dbhds.virginia.gov](mailto:tony.davis@dbhds.virginia.gov) – Facility Business

Meets Quarterly at 6:00 p.m. (Committee In-Person, Virtual participation link below for providers/individuals/public) – 2/17, 5/19, 8/18 & 11/17

Location: Central State Hospital 23617 W. Washington St., Bldg. 113, Petersburg, VA 23803

Zoom Link: <https://dbhds.zoomgov.com/j/1611940096>

Passcode: LHRCmeet1!

Phone: (669) 254-5252 or (646) 828-7666 or (551) 285-1373 or (669) 216-1590

Phone Passcode: 4941301617

**Williamsburg Regional LHRC – Lashanique Green, DBHDS/ OHR Advocate**

[lashanique.green@dbhds.virginia.gov](mailto:lashanique.green@dbhds.virginia.gov)

Meets Quarterly at 9:00 a.m. (Committee In-Person, Virtual participation link below for providers/individuals/public)– 3/16, 6/15, 9/14, & 12/21

Location: Eastern State Hospital 4601 Ironbound Road, Williamsburg, VA 23188

Zoom Link: <https://dbhds.zoomgov.com/j/1613736535>

Passcode: LHRCmeet1!

Phone: (669) 254-5252 or (646) 828-7666 or (551) 285-1373 or (669) 216-1590

Phone Passcode: 923214465

# Confidentiality and Conflict of Interest Agreement

It is the policy of the State Human Rights Committee (SHRC) to assure protection of the rights of all individuals receiving services from public or private providers of services licensed, funded or operated by the Department of Behavioral Health and Developmental Services. All meetings shall be conducted in accordance with Section 2.2-3707 Code of Virginia Freedom of Information Act. The privacy of information regarding individuals shall be respected and protected.

I \_\_\_\_\_ (SHRC member) do hereby acknowledge my obligation to maintain confidentiality and agree to not divulge, discuss, or otherwise disclose any information relating to a receiver of services or any aspect of his or her care unless otherwise expressly allowed by the laws and regulations governing the performance of my duties as a member of the State Human Rights Committee. I further acknowledge and understand that (1) I will have access to confidential information only as necessary to carry out the responsibilities of my membership; (2) I will maintain confidentiality of information in accordance with the human rights regulations, department policies and departmental instructions; (3) violation of patient confidentiality, policies of the SHRC, or of the governing regulations or state laws may be grounds for dismissal from the SHRC.

I shall recuse myself from all cases and issues where I have a direct, personal involvement, financial, family, employment or other conflict of interest. I hereby certify that I am not an employee or Board member of the Department of Behavioral Health and Developmental Services, or of a Community Services Board.

I will return all meeting documents containing confidential information to the Office of Human Rights at the close of each meeting for shredding. For information received electronically, I will ensure confidential information is appropriately deleted and I shall personally maintain only those documents with non-confidential information such as agendas, minutes, bylaws, and general information.

\_\_\_\_\_  
Signature of SHRC Member

Name (print): \_\_\_\_\_

Date: \_\_\_\_\_





STATE HUMAN RIGHTS COMMITTEE

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1220 Bank Street  
Richmond, VA 23219

P.O. Box 1797  
Richmond, VA 23218  
www.dbhds.virginia.gov

**State Human Rights Committee Meeting**  
***Draft Minutes***

**Thursday, December 9, 2021**

**DBHDS**

**1220 Bank Street**

**Jefferson Building**

**13<sup>th</sup> Floor Board Room**

**Richmond, Virginia**

**23219**

**Zoom for Government**

**<https://dbhds.zoomgov.com/j/1617839100>**

**Meeting ID: 161 783 9100**

**Passcode: \$HRCMet1ng**

**Administrative Session**

**9:04 a.m.**

**Members Present** Julie C. Allen, Chair; Will Childers, Vice-Chair; Monica Lucas; Megan Sharkey

**Members Virtually** David Boehm

**Members Excused** Timothy Russell; Cora Swett

**Staff Present** Taneika Goldman, State Human Rights Director  
Karen A. Taylor, Senior Assistant Attorney General  
Mary Clair O'Hara, Associate Director, Facility Operations  
Amaya Henderson, Administrative Assistant Facility Operations  
Kli Kinzie, Executive Secretary  
Trevon Johnson, IT Help Desk Technician

**Staff Present Virtually** Jennifer Kovack, Associate Director, Community Operations  
Brandon Rotenberry, Facility Advocate Manager  
Artea Ambrose, Human Rights Advocate  
Tony Davis, Human Rights Advocate  
Corie Reed, Human Rights Advocate

**Others Present Virtually** Mary O., Public Commenter  
John Cimino, Attorney, disAbility Law Center of Virginia (dLCV)  
Sue Klaas, MH Senior Policy Specialist, Department of Medical Assistance Services (DMAS)

Rebecca Herbig, Disability Rights Advocate, dLCV

- Call to Order** At 9:04, Julie C. Allen, SHRC Chair, called the administrative session of the December 9, 2021, SHRC meeting to order. Ms. Allen introduced herself and welcomed everyone to the meeting. A call for introductions took place prior to proceeding.
- Approval of Agenda** At 9:06, the committee considered the agenda.
- A motion was made by Monica Lucas and seconded by Will Childers to approve the December 9, 2021, agenda as circulated. Megan Sharkey, Julie Allen, Will Childers, Monica Lucas and David Boehm voted yes to pass the motion.*
- Information** At 9:08, Taneika Goldman, State Human Rights Director addressed the Committee.
- WSH Response to Appeal Decision** The Office of Human Rights has not received Commissioner Land's response to the findings of a violation in SHRC Case 21-03. Western State Hospital has implemented the recommendations of the Staunton Area LHRC and the SHRC.
- Training Calendar** The Office of Human Rights' 2022 statewide provider training calendar was provided in the packet and the committee was encouraged to audit training sessions. Will Childers, SHRC Vice-Chair, attended 2 of the trainings in 2021.
- BREAK** At 9:10, Julie Allen called for a brief break.

**Regular Session**

**9:13 a.m.**

- Members Present** Julie C. Allen, Chair; Will Childers, Vice-Chair; Monica Lucas; Megan Sharkey
- Members Virtually** David Boehm
- Members Excused** Timothy Russell; Cora Swett
- Staff Present** Taneika Goldman, State Human Rights Director  
Karen A. Taylor, Senior Assistant Attorney General  
Mary Clair O'Hara, Associate Director, Facility Operations  
Amaya Henderson, Administrative Assistant Facility Operations  
Kli Kinzie, Executive Secretary
- Staff Present Virtually** Jennifer Kovack, Associate Director, Community Operations  
Brandon Rotenberry, Facility Advocate Manager  
Artea Ambrose, Human Rights Advocate  
Tony Davis, Human Rights Advocate  
Corie Reed, Human Rights Advocate

<b>Others Present</b>	Mary O., Public Commenter
<b>Virtually</b>	Sue Klaas, MH Senior Policy Specialist, Department of Medical Assistance Services (DMAS) Rebecca Herbig, Disability Rights Advocate, disAbility Law Center of Virginia (dLCV) John Cimino, Attorney, disAbility Law Center of Virginia (dLCV)
<b>Present</b>	Crystal Ton, Legal Guardian
<b>Virtually for</b>	George Mitzner, Legal Guardian
<b>Appeal</b>	Christine Parker, Director of Social Services, St. Mary's Home for Disabled Children Liz McCuean, Chief of Nursing and Clinical Services, St. Mary's Home for Disabled Children
<b>Staff Present</b>	Michael Gause, Human Rights Advocate
<b>Virtually for</b>	Latoya Wilborne, Human Rights Advocate
<b>Appeal</b>	
<b>Call to Order</b>	At 9:13, Julie Allen, Chair, called the regular session of the December 9, 2021, SHRC Meeting to order.
<b>Review of Draft Minutes</b>	At 9:13, the SHRC considered the draft minutes of the November 4, 2021, SHRC meeting.  <i>A motion was made by Will Childers and seconded by Megan Sharkey to approve the draft minutes of the November 4, 2021, SHRC meeting. Chair Allen called for votes in roll call fashion. Megan Sharkey, Julie Allen, Will Childers, Monica Lucas and David Boehm voted yes to pass the motion to approve the draft minutes.</i>
<b>Regulation Spotlight</b>	At 9:14, Artea Ambrose, Human Rights Advocate, presented the Regulation Spotlight on section 12VAC 35-115-150, General Provisions, and section 12VAC 35-115-180, LHRC Hearing and Review Procedures, of the human rights regulations. (See addendum I).
<b>Facility Reports</b>	At 9:15, the Committee received updates on facility reporting.
<b>Seclusion/ Restraint &amp; Death Data</b>	Mary Clair O'Hara, Associate Director, Facility Operations, presented seclusion/restraint and death data for state operated facilities. Ms. O'Hara shared her screen to show an Excel file and provided seclusion and restraint data for September 2021 and death data for October 2021. (See addendum II).
<b>VCBR Report</b>	At 9:18, Tony Davis, Human Rights Advocate, provided the VCBR report on allegations of abuse, human rights complaints and instances of restraint for the month of October 2021. He also provided an update on the construction. (See addendum III).
<b>Violation Letters</b>	At 9:30, Brandon Rotenberry, Facility Advocate Manager, provided statistics on Violation Letters issued to state operated facilities in October 2021 (See addendum IV). David Boehm asked how the letters are being received by the facilities. When facilities receive the letters they complete a form and institute corrective actions.



<b>Public Comment Period</b>	<p>At 9:32, Julie Allen called for public comments.</p> <p>Mary O. addressed the Committee. Ms. O. is concerned about complaint procedures, especially consent forms. She is interested to know what the SHRC and the Department are doing to ensure that all people with disabilities are getting needed help. She asked what is being done to ensure that people who speak different languages and who are from various cultures are being accommodated.</p> <p>At 9:37, Julie Allen called for any other comments from the public. <i>No other public comments were offered.</i></p>
<b>LHRC Business</b>	At 9:38, the SHRC considered LHRC business.
<b>Liaison Reporting</b>	At 9:38, Julie Allen asked for Liaison Reports. Will Childers reported that a member of an LHRC he formerly served on in Southwest Virginia has passed away. A statement of condolence will be sent to the LHRC members in addition to a card and a certificate will be sent to the family.
<b>Impact of COVID</b>	At 9:39, Taneika Goldman, State Human Rights Director, reported on the impact of COVID on LHRCs. The number of LHRC members has decreased and several current members continue to be uncomfortable meeting in person. A significant amount of business cannot be conducted because of the requirement to have a quorum together in person. Mrs. Goldman suggested making LHRCs smaller so that fewer members are needed to satisfy the requirement. Will Childers recommended the designation of members who are able to serve on multiple committees as needed. A brief discussion followed. This topic will be revisited at the January 20, 2022, meeting.
<b>LHRC Membership</b>	<p>At 9:47, the SHRC considered recommendations for LHRC membership and a resignation.</p> <p><i>At 9:48, a motion was made by David Boehm and seconded by Monica Lucas to acknowledge the resignation of Carlton Starke from Central Region LHRC and to make the below listed appointment. Chair Julie Allen called for votes in roll call fashion. Megan Sharkey, Julie Allen, Wil Childers, Monica Lucas and David Boehm voted yes to pass the motion.</i></p> <p>Region 4 Central Region LHRC: Appoint Deborah Greene</p>
<b>Subcommittee Reports and Assignments</b>	At 9:49, Julie Allen called for subcommittee reports.
<b>Policy Subcommittee</b>	<p>Policy Subcommittee: David Boehm; Mary Clair O'Hara, Staff</p> <p>At 9:49, Mary Clair O'Hara and David Boehm spoke on behalf of the Policy Subcommittee. The SHRC received the draft VCBF Facility Instruction FI-137, Medication Administration. Taneika Goldman provided context regarding the Policy Subcommittee's involvement in the review and revision of the FI. Handouts were provided to the SHRC.</p>

**Workplan / Membership Subcommittee** Workplan / Membership Subcommittee: Timothy Russell, Chair; Megan Sharkey  
At 9:54, Workplan Discussion: 2022 Presenters  
Julie Allen asked the SHRC for recommendations of whom they would like to hear from in calendar year 2022. Taneika Goldman spoke briefly about the 2021 meeting schedule and possible topics and speakers for 2022. Monica Lucas suggested scheduling follow-ups on presentations received in 2021. Megan Sharkey asked for updates on BRAVO and the MARCUS Alert. David Boehm suggested hearing about family and children's services. Julie Allen supported the recommendations.

**Guest Presenters:** At 10:00, Heather Norton, Assistant Commissioner, Division of Developmental Services; Alexandria Robinson, BH Program and Training Coordinator, Division of Developmental Services; Project BRAVO and Suzanne Klaas, Mental Health Senior Policy Specialist, Department of Medical Assistance Services gave a presentation on Project BRAVO and the Marcus Alert.  
Alert

Heather Norton opened the presentation with a PowerPoint slideshow (see addendum V). The Marcus Alert is a mental health awareness response and community understanding services system that is a set of protocols to initiate a response to a behavioral health crisis. The Marcus Alert came from the Marcus-David Peters Act, which is legislation named in honor of Marcus-David Peters, who was killed by Richmond Police while having a behavioral health emergency. This response system is designed to ensure greater involvement of behavioral health professionals in BH crises while limiting the role of law enforcement. The Commonwealth of Virginia has launched a crisis call center with mobile crisis response teams in 5 regional offices that operate 24/7. Alexandria Robinson provided a history of the development and framework of the MARCUS Alert.

At 10:25, Heather Norton provided an update on Project BRAVO (Behavioral Health Redesign for Access, Value and Outcomes). Project BRAVO is a system of integrated behavioral health services that provides a full continuum of care to Medicaid members. The system focuses on high quality, cost effective services that have been show to work. The goal is to support intensive collaboration between public and private providers in order to get the individual connected to a variety supports and services.

**Appeal: Abuse Report 20200062** At 10:45, the SHRC considered the appeal of the LHRC Finding regarding Abuse Report 20200062. St. Mary's Home for Disabled Children petitioned for an appeal of the outcome to the findings of facts by the Health Planning Region 5 LHRC.

Michael Gause, Human Rights Advocate, was present virtually to provide technical support. Crystal Ton and George Mitzner, Legal Guardians, were present virtually to speak on behalf of JM. Christine Parker, Director of Social Services; and Liz McCuean, Chief of Nursing and Clinical Services; were present virtually to represent St. Mary's Home for Disabled Children. Committee members present in the room were Julie Allen, Chair; Will Childers, Vice-Chair; Monica Lucas and Megan Sharkey. David Boehm, SHRC member, was present virtually. DBHDS staff present in the room were Taneika Goldman, State Human Rights Director; Karen Taylor, Assistant Attorney General Senior; Mary Clair O'Hara, Associate Director, Facility Operations; Amaya Henderson, Administrative Assistant; and Kli Kinzie, Executive Secretary. DBHDS Staff present virtually were Jennifer Kovack, Associate Director, Community Operations; Brandon Rotenberry, Facility Operations Manager; Corie Reed, Human Rights Advocate; Latoya Wilborne, Human Rights Advocate; and Tony Davis, Human Rights Advocate. Also present were Rebecca Herbig, Disability Rights Advocate; and John Cimino, Attorney, disAbility Law Center of Virginia (dLCV).

The SHRC's written response will be issued within 20 working days.

**Appeal: Abuse Report 20210020** At 11:20, the SHRC considered the appeal of LHRC Finding regarding Abuse Report 20210020. St. Mary's Home for Disabled Children petitioned for an appeal of the outcome to the findings of facts by the Health Planning Region 5 LHRC.

Michael Gause, Human Rights Advocate, was present virtually to provide technical support. Crystal Ton and George Mitzner, Legal Guardians, were present virtually to speak on behalf of JM. Christine Parker, Director of Social Services; and Liz McCuean, Chief of Nursing and Clinical Services; were present virtually to represent St. Mary's Home for Disabled Children. Committee members present in the room were Julie Allen, Chair; Will Childers, Vice-Chair; Monica Lucas and Megan Sharkey. David Boehm, SHRC member, was present virtually. DBHDS staff present in the room were Taneika Goldman, State Human Rights Director; Karen Taylor, Assistant Attorney General Senior; Mary Clair O'Hara, Associate Director, Facility Operations; Amaya Henderson, Administrative Assistant; and Kli Kinzie, Executive Secretary. DBHDS Staff present virtually were Jennifer Kovack, Associate Director, Community Operations; Brandon Rotenberry, Facility Operations Manager; Corie Reed, Human Rights Advocate; Latoya Wilborne, Human Rights Advocate; and Tony Davis, Human Rights Advocate. Also present were Rebecca Herbig, Disability Rights Advocate; and John Cimino, Attorney, disAbility Law Center of Virginia (dLCV).

The SHRC's written response will be issued within 20 working days.

**Closed Session** At 11:50, Upon a motion by Will Childers and seconded by Megan Sharkey the SHRC convened in closed session pursuant to VA CODE § 2.2-3711 (A)(4)(8) and (16), for the protection of privacy of individuals and for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

#### **Subcommittees** (continued)

**Workplan/ Membership Subcommittee** Workplan / Membership Subcommittee: Timothy Russell; Megan Sharkey  
At 12:44, Taneika Goldman initiated a discussion of applicants for SHRC membership.

*A motion was made by Will Childers and seconded by Monica Lucas to recommend the DBHDS State Board appoint David Crews and Betty Crance to the SHRC. Julie Allen called for votes in roll call fashion. Megan Skarkey, Julie Allen, Wil Childers, Monica Lucas and David Boehm voted yes to pass the motion.*

**Bylaws Subcommittee** Bylaws Subcommittee: Monica Lucas, Chair; Cora Swett; Jennifer Kovack, Staff  
At 12:45, Monica Lucas spoke on behalf of the Bylaws Subcommittee. The Bylaws subcommittee will convene to discuss development of a template for LHRC bylaws based on the SHRC bylaws.

#### **HR Access:**

Monica Lucas plans to follow-up with Dr. Mobley, DEI Officer, regarding appropriate language to use for human rights postings at facilities and community providers.

**Officer Subcommittee:** Will Childers

**Officer Subcommittee:** At 12:49, Will Childers reported on behalf of the Officer Subcommittee. As stated in November, the Officer Subcommittee will accept nominations from the floor for Chair and Vice-Chair during the April 2022 meeting.

At 12:50, Will Childers spoke about SHRC member mentoring and provided his notes regarding facilitating the transition of new committee members to the form and function of the SHRC. He recommends continuing relying on OHR leadership to provide official orientation and training to new members. He also suggested the SHRC Annual Report should be among the documents provided to new members as they come onboard. Mr. Childers thanked Taneika Goldman for her efforts in making sure SHRC members are a part of that process in developing and presenting the Annual Report to the DBHDS State Board.

**LHRC Letter of Commendation:** At 12:53, the SHRC considered a letter of commendation to facilities for the reduction of seclusion and restraint. The committee discussed how to decide when to send the letter to the providers and the threshold for commendation. A brief discussion followed regarding how and when to initiate the commendation letters.

**Other: Meeting Location:** Taneika Goldman and Mary Clair O'Hara discussed options for the January 20, 2022 meeting location.

**Other:** At 1:03, Taneika Goldman, expressed her thanks to the SHRC members for the work they do.

At 1:05, David Boehm thanked the committee for their support.

**Adjournment:** At 1:06, having no further business to discuss the December 9, 2021, SHRC meeting adjourned.

**Next Meeting**  
January 20, 2022  
TBD

Brandi Justice, Psy.D.

Facility Director, Central State Hospital

Welcome

Overview of Construction

Reduction in Seclusion and Restraint



Guest Presenter





Public Comment



## Facility Reports

### Seclusion, Restraint & Death Data

Mary Clair O'Hara, Associate Director, Facility Operations

### Violation Letter Statistics

Brandon Rotenberry, Facility Advocate Manager

### VCBR

Tony Davis, Human Rights Advocate



Facility Reports



## Summary of Violation Letters for State Facilities Office of Human Rights

*November 2021*

The purpose of the Violation Letter is to document the manner in which state operated facilities acknowledge Human Rights violation(s), and identify and implement appropriate corrective action(s), in accordance with timelines outlined in the Human Rights regulations. The work of correcting, mitigating and preventing abuse occurs after the identification of the violation. The assurance of this work is the responsibility of the Facility Advocate [12VAC35-115-260] and is reflected in the substance of the Violation Letter process.

During November 2021, there were five violation letters issued across the 12 state facilities. There were three violations identified through the Abuse and Neglect Investigation Process (DI 201), one for late reporting of findings, and one violation identified through an LHRC hearing.





**FACILITY OVERVIEW & SECULUSION AND RESTRAINT REPORT**  
**OFFICE OF HUMAN RIGHTS**

DBHDS Facility: VA Center for Behavioral Rehabilitation (VCBR)

Reporting  
Period: November 2021

Name of Advocate : Tony Davis

Region: 4

**Seclusion & Restraint:**

There were 7 emergency physical restraints for aggression and 2 mechanical restraints. The total duration for the restraints was 4 hours 23 minutes. The only injury reported was a scratch to the resident's nose.

<b>Restraint Type:</b>	<b>November Census-In-House: 372</b>
Physical	7
Ambulatory	0
Non-ambulatory	2
Pharmacologic	0
<b>TOTAL:</b>	<b>9</b>

Transport Restraints	113
Seclusion	0

During this period there were a total of 113 transport restraints. The shortest duration of these restraints was 57 minutes, and the longest duration of these restraints was 14 hours 15 minutes (Angiogram and stent procedure at Lynchburg General Hospital). The overall time for transport restraints was 418 hours 45 minutes. In comparison to October's report, there was an increase of 33 transport restraints totaling 59 hours 15 minutes. The reasons for the increase this period was due to 6 medical procedures.

There were no reports of seclusion for this reporting period.

**Allegations of Abuse and Neglect:**

There were 3 Physical abuse allegations, 2 Verbal abuse allegations, and 2 Neglect non-peer-to-peer allegations reported for this period. There was 1 substantiated allegation of Verbal abuse (CHRIS report attached). The allegations were reported, investigated, and completed within the timeframe of the regulation.

<b>Abuse/Neglect Category:</b>	<b>November</b>
Physical	3
Restraint	0
Verbal	2
Neglect (non peer-to-peer)	2
Neglect (peer-to-peer)	0
<b>TOTALS:</b>	<b>7</b>

### **Human Rights Complaints:**

There was a total of 7 human rights complaints received during the month. There were 2 substantiated violations of Dignity. One violation dealt with a failure to provide a follow-up medical test as directed by the medical director, and the other violation referred to a timely response to a previous complaint as dictated by regulation and facility policy. All complaints were handled below the Director's level apart from both substantiated complaints.

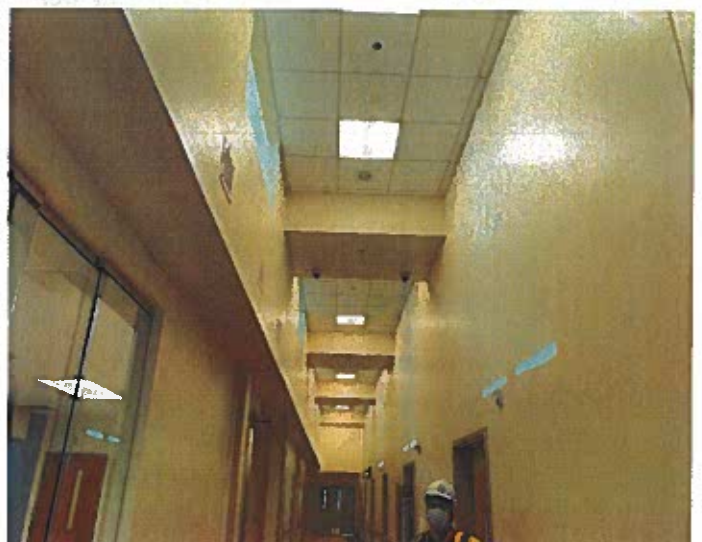
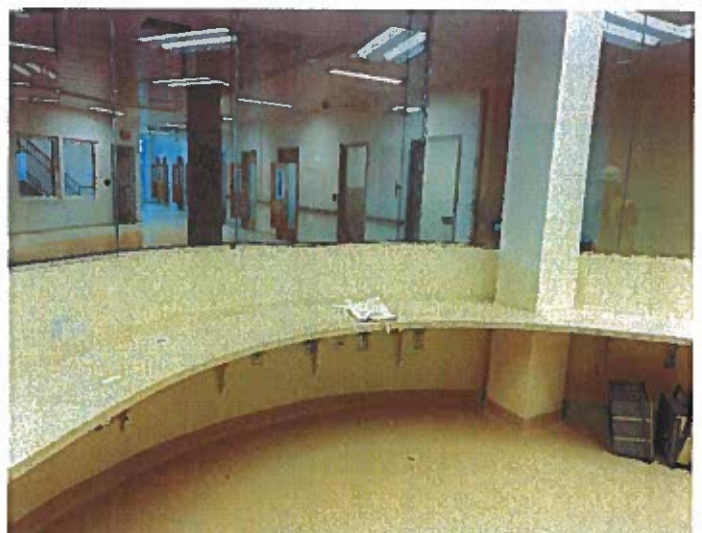
Complaint Category:	November
Assurance of Rights	0
Dignity	7
Services	0
Complaint Review Process	0
TOTALS:	7

### **Policy Updates & Facility Initiatives**

There was one policy update referencing "pill call". The policy (VCBR FI 137) did not clearly stipulate what happened when a Resident was not in-line during the last call for medicine distribution. The policy has been revised and training for the policy will be implemented accordingly as communicated to me by the facility director.

### **Construction Update**

The following photos depict the status of the construction inside of the building for this reporting period. The overall construction completion status remains on track for January 2022.



Variance

Western State Hospital

Brandon Rotenberry  
Facility Human Rights Manager

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Variance

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Variance

Commonwealth Center for Children and Adolescents

Brandon Rotenberry  
Facility Human Rights Manager

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Variance

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Variance

Youth for Tomorrow

Jen Anglin  
Human Rights Advocate



Variance



Mary Clair O'Hara, Associate Director

Facility Operations

Update on the Overhaul of the TOVA Manual



Presentation



Update

SHRD Meeting with LHRC Chairs



Update



LHRC Liaison Reporting

Resignation



LHRC Business





LHRC Appointments



Region 1: Northwestern Area LHRC





Region 2: Prince William County LHRC





## Region 3: Roanoke-Catawba LHRC





Region 5: Southeast Alliance LHRC



## Subcommittees

### Policy Subcommittee

David Boehm, Chair; Mary Clair O'Hara, Staff

### Workplan / Membership Subcommittee

Timothy Russell; Megan Sharkey

Onboarding New Members

Workplan Discussion: 2022 Presenters

Application Questions

### Bylaws Subcommittee

Monica Lucas, Chair; Cora Swett; Jennifer Kovack, Staff

LHRC Bylaws Template

HR Access

### Officer Subcommittee

Will Childers



Subcommittees



# SHRC Workplan 2022

Rev 01 - 2022

	01/22	03/22	04/22	05/22	06/22	08/22	09/22	11/22	12/22
Speaker Series									Website Workshop and review

Goal #1	Indicator	Activity	01/22	03/22	04/22	05/22	06/22	08/22	09/22	11/22
Continued responsibility of acting as LHRC for VCBR	1. VCBR has effective human rights program	1. Report from VCBR Director.								
	2. Participate in revision of regulations	2. Report from DBHDs Director.								
	3. Individuals under forensic status rights are protected	3. Reports concerning Medical policies, double bunking policies and seclusion and restraint policies 4. Meet with RAC and monitor extraordinary barriers to discharge. 5.. Monitor census management and NGRI flow through. 6. Anything about training for staff that vcbr isn't DOC and how better to interact with patients and not convicts?								

Goal #2	Indicator	Activity	1/22	3/22	4/22	5/22	6/22	8/22	9/22	11/22
COVID affects on Mental Health Facilities and Populations and Responses	1. COVID has potentially affected access to mental health programs	1. Continued email updates from OHR concerning COVID related incidents, problems and solutions.								
	2. Budget restrictions have affected deliverables to patients and affected staffing.	2. Summary reports broken down by positive results reported at state facilities and private health care across regions.								
	3. Concern that private facilities may close and leave population without help.	3. Preview future plans from state and regional advocates concerning Private facilities.								
	4. Increased demands on mental health services as people are more subject to stressors.	4. Briefing about successes in mental health treatment related to COVID.								
		4. Monitor State budget and actions to seek federal help.								

Goal #3	Indicator	Activity	1/22	3/22	4/22	5/22	6/22	8/22	9/22	11/22
Enhanced Communication with LHRC's	1. Inform and communicate with LHRC as central information repository. 2. Website Monitoring and maintenance 3. Number of Visits to LHRC meetings by SHRC members	1. Work to get info to LHRC via web or live video meetings. 2. Standardize forms and make downloadable to consumers and LHRC 3. Provide Primer and standard documents to LHRC for reporting findings and decision concerning appeals. 4. Provide video of talks SHRC hears if non confidential info. 5. Provide web maps and make easier to contact individuals who can provide assistance or counsel								



Goal #4	Indicator	Activity	1/22	3/22	4/22	5/22	6/22	8/22	9/22	11/22
Monitoring increased issues with opioid addiction and continued interest in substance abuse	1. Increase in clinics and clients Methadone treatment and alternatives. 2. Increase in relapse with COVID and increased need for services. 3. Increase client participation in recovery education services (PEER Support, WRAP Groups, etc)	1. Hear from clinical directors in differing regions 2. Hear from drs, specialists in concerning findings, trends and opinions 3. Hear peer recovery staff at State run Facilities								

			1/22	3/22	4/22	5/22	6/22	8/22	9/22	11/22
<b>Goal #5</b>	<b>Indicator</b>	<b>Activity</b>								
Promote treatment without coercion	1. Reduction in use of seclusion and restraint 2. Increase in Voluntary participation in available treatment services	1. Report on Seclusion and Restraint Grant and Reduction efforts Chris reports by region by type of provider and graphed to show trends.								

			1/22	3/22	4/22	5/22	6/22	8/22	9/22	11/22
<b>Goal #6</b>	<b>Indicator</b>	<b>Activity</b>								
Individuals with capacity make their own decisions, Individuals without capacity have a duly appointed substitute decision maker	1. Promote alternative decision making avenues such as POA and Advanced Directives	1. How to inform guardians of individuals where this resides online and in person. Training manual...online.. Regional classes								

Goal #7	Indicator	Activity	1/22	3/22	4/22	5/22	6/22	8/22	9/22	11/22
Administrative effectiveness	1. Complete required tasks in timely manner 2. Improve monitoring of Variances and Exemptions	1. Punctual, Professional and participate in all aspects of meeting. 2. Act in courteous manner to individuals, by providing attention and concern and un-biasness 3. Continue to consolidate variances by region and SHRC travel to regions rather than by date. 4. SHRC members will Attend 2 LHRC meetings per year								

## Other Speaker ideas

1. Jan 20: Update on Overhaul of the TOVA Manual
2. Jan 20: Demonstration of Physical TOVA Holds
3. Mar 3: DOJ Settlement Agreement
4. Mar 3: 2022 General Assembly Summary/Wrap-Up
5. Apr 14: FOIA Training
6. Representative from Equality Virginia
7. Chairmen of LHRCS as meet, greet and exchange, open to listen to concerns questions
8. ACLU of Virginia
9. Virginia Poverty Law Center
10. ARC of Virginia
11. VACSB
12. Commissioner: Initiatives and Goals
13. Extraordinary Barriers List
14. Impact of COVID on Abuse/Neglect/Exploitation
15. Lauren Cunningham, Communications Director, DBHDS

**State Human Rights Committee**  
**Department of Behavioral Health and Developmental Services**  
**2022 Meeting Schedule**

Dates are approved by motion  
Locations are subject to change

<b>Meeting Date</b>	<b>Agenda Deadline</b>	<b><i>Appeal Deadline</i></b>	<b>Region <i>Subject to change</i></b>	<b>Location Refer to <u>Commonwealth Calendar</u> for Details</b>
<b>January 20</b>	January 5	<i>December 30</i>	Region 4 Central	Central State Hospital 26317 West Washington Street Petersburg, VA 23803
<b>March 3</b>	February 16	<i>February 10</i>	Region 2 Northern VA	
<b>April 14</b>	March 30	<i>March 24</i>	Region 3 Southwest	
<b>May 19</b>	May 4	<i>April 28</i>	Region 5 Tidewater	
<b>June 23</b>	June 8	<i>June 2</i>	Region 1 Northwest	
<b>August 18</b>	August 3	<i>July 28</i>	Region 5 Tidewater	
<b>September 29</b>	September 14	<i>September 8</i>	Region 2 Northern VA	
<b>November 3</b>	October 19	<i>October 13</i>	Region 4 Central	
<b>December 8</b>	November 21 (Monday) Updated on 12/6/2021	<i>November 17</i>	Region 4 Central	

The SHRC is required to meet in person unless special circumstances apply. Members of the public may attend these meetings. Those wishing to attend virtually can join via Zoom. Administrative sessions normally convene at 9:00AM. Regular sessions normally convene at 9:15AM. Portions of these meetings are held in closed session.

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